

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SCOTT RICHARD PRICE,

Plaintiff,

v.

GILL, *et al.*,

Defendants.

Case No. 2:21-cv-02295-TLN-JDP (PC)

FINDINGS AND RECOMMENDATIONS
THAT THIS ACTION BE DISMISSED FOR
FAILURE TO PAY THE FILING FEE AND
FAILURE TO COMPLY WITH COURT
ORDERS

OBJECTIONS DUE WITHIN FOURTEEN
DAYS

On December 21, 2021, I order plaintiff to submit, within thirty days, either the \$5.00 filing fee or an application to proceed *in forma pauperis*. ECF No. 4. I warned plaintiff that failure to comply with that order would result in a recommendation that this action be dismissed. *Id.* The deadline has passed, and plaintiff has neither paid the filing fee nor filed an application to proceed *in forma pauperis*.

Accordingly, it is hereby RECOMMENDED that:


1. This action be dismissed without prejudice for failure pay the filing fee and failure to comply with court orders.
2. The Clerk of Court be directed to close the case.

I submit these findings and recommendations to the district judge under 28 U.S.C. § 636(b)(1)(B) and Rule 304 of the Local Rules of Practice for the United States District Court, Eastern District of California. The parties may, within 14 days of the service of

1 the findings and recommendations, file written objections to the findings and recommendations
2 with the court. Such objections should be captioned "Objections to Magistrate Judge's Findings
3 and Recommendations." The district judge will review the findings and recommendations under
4 28 U.S.C. § 636(b)(1)(C).

5
6 IT IS SO ORDERED.

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8 Dated: February 11, 2022


JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE